

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION OF)
TEL WEST COMMUNICATIONS, LLC FOR A)
CERTIFICATE OF AUTHORITY TO PROVIDE)
LOCAL EXCHANGE SERVICES IN SOUTH)
DAKOTA)**

**ORDER DENYING
CERTIFICATE OF
AUTHORITY**

TC00-127

On August 21, 2000, the Public Utilities Commission (Commission), in accordance with SDCL 49-3, specifically 49-31-69 and ARSD 20:10:32:03, received an application for a certificate of authority from Tel West Communications, LLC (Tel West).

Tel West proposes to provide basic local exchange telecommunications service on a non-facilities based resold basis, throughout all of the exchanges currently served by incumbent local exchange telecommunications company of Qwest Corporation (Qwest), f/k/a U S WEST Communications, Inc. The company intends to provide all forms of intrastate telecommunications services, including basic residential exchange services, call waiting, caller ID and call forwarding.

On August 24, 2000, the Commission electronically transmitted notice of the filing and the intervention deadline of September 8, 2000, to interested individuals and entities. No petitions to intervene or comments were filed. At its regularly scheduled February 6, 2001, meeting, the Commission considered Tel West's request for a certificate of authority. Commission Staff recommended denying the certificate of authority and closing the docket as Tel West was non-responsive to data requests from Staff and had filed an incomplete application.

The Commission finds that it has jurisdiction over this matter pursuant to Chapter 49-31, specifically 49-31-69 and ARSD 20:10:32:03. The Commission finds that Tel West has not met the legal requirements established for the granting of a certificate of authority. Tel West has not, in accordance with SDCL 49-31-69, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Pursuant to ARSD 20:10:32:06 the Commission voted to deny Tel West's application for a certificate of authority. As the Commission's final decision in this matter, it is therefore

ORDERED, that Tel West's application for a certificate of authority is hereby denied.

Dated at Pierre, South Dakota, this 13th day of February, 2001.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner